

Minutes of the State Board of Health

May 14, 2003

The Washington State Board of Health (SBOH) met at the AmeriTel Inn at 4520 Martin Way East in Olympia, Washington. SBOH Chair Linda Lake called the public meeting to order at 9:33 a.m. and addressed the attendees with the following statement:

“This is a public meeting of the SBOH held under provision of RCW 43.20. Notice of the meeting was provided in accordance with provisions of RCW 34.05, the Administrative Procedures Act. Those members having any conflict of interest on any item coming before the Board will report that conflict with respect to the particular subject under consideration. In case of challenge of any Board members by the public, the Board shall decide the status of the challenged members to participate before considering the substance of the matter.

Copies of all materials supplied to the Board for today’s meeting have been available since close of business last Friday from the Board’s Olympia office and on the Board’s Web site at www.doh.wa.gov/sboh. They are also available today, along with anything else we have received since, at the table in the back of the room. To conserve public funds, we have only made as many copies as we feel will be needed, so we may run out of some particularly popular items. If you do not find a document you need, please ask Executive Assistant Desiree Robinson, or another Board staff person for one.

Our meeting today is open to the public, so please feel free to listen in on informal discussions involving Board members or staff, including any that may occur during breaks or lunch.”

SBOH members present:

Linda Lake, MBA, Chair
Charles Chu, DPM
Carl Osaki, RS, MSPH
Thomas H. Locke, MD, MPH, Vice Chair

Ed Gray, MD
Vickie Ybarra, RN, MPH
The Honorable David Crump, PhD
Maxine Hayes, M.D.

SBOH members absent:

Joe Finkbonner, R.Ph., M.H.A.
Secretary Mary Selecky

The Honorable Carolyn Edmonds

State Board of Health Staff present:

Don Sloma, Executive Director
Craig McLaughlin, Sr. Health Policy Manager
Doreen Garcia, Senior Health Policy Advisor

Marianne Seifert, Health Policy Advisor
Desiree Robinson, Executive Assistant
Jennifer Dodd, Assistant to the Board

Guests and Other Participants:

Janice Adair, Department of Health
Dr. Amy Belko, Olympia Pediatrics
Chris Blake, WA St House of Representatives
Holly Chisa, WA Food Industry
Connie Clark, HCA-CHS
Julie Davidson, HumanLinks Foundation
Michelle Davis, Department of Health
Bill Dewey, Taylor Shellfish Co.
Ward Hinds, Snohomish Health District
Terry Hull, Puget Sound Action Team
John Keeffe, Olympia School Board
Jennifer Kunkel, Building Industry Association of WA
Wa Jeff Mero, Association of Washington Public Hospital Districts

Maggie Moran, King Co. Board of Health
Drew Noble, Oak Park Water
Debby Peterman, HumanLinks Foundation
Brian Peyton, Department of Health
Debbie Riley, Mason County Department of Health
Katherine Sanders, WA Health Foundation
Cynthia Shurtleff, WA Chapter, American Academy of Pediatrics
Art Starry, Thurston County Environmental Health
Gayle Thronson, Office of the Superintendent of Public Instruction
James Whitfield, WA Health Foundation
Margaret Wilson, Medical Assistance Administration

APPROVAL OF AGENDA

Motion: Approve May 14, 2003 agenda

Motion/Second: Crump/Locke

Board Chair Lake amended the agenda to add Carolyn Barclift, president of the Olympia School Board, under Item 8.

Approved unanimously as amended

ADOPTION OF April 9, 2003 MEETING MINUTES

Motion: Approve the April 9, 2003 minutes as written

Motion/Second: Locke/Chu

Approved with three abstentions: Osaki, Crump, Ybarra

DEPARTMENT OF HEALTH UPDATE

Dr. Maxine Hayes, State Health Officer, Department of Health (DOH) shared that Secretary Selecky's mother passed away on Mother's Day.

Dr. Hayes discussed the TOPOFF2 preparedness exercise that simulated a terrorist attack. The DOH role was to stage a simulated press conference. She thanked the Board for having the foresight to develop isolation and quarantine rules because the current SARS outbreak drives home the importance of public health police power. Dr. Hayes reviewed the status of the smallpox vaccination program, which reached 502 people on public health and hospital response teams. She discussed Secretary Selecky's congressional testimony (see copy provided). Dr. Hayes said DOH continues to work with the CDC and local partners to identify suspected, probable, and confirmed SARS cases. As of May 13 at 3 p.m. there were 27 suspected cases, two of which are probable. There have been no fatalities in Washington. SARS has significantly increased the DOH workload. She also provided an update on West Nile virus (WNV) response. She stressed the importance of training for mosquito surveillance and dead bird surveillance. She reported on the granting of an umbrella National Pollutant Discharge Elimination System (NPDES) permit for discharging mosquito control chemicals on the waters of the state. (See materials behind Tab 5 for more information.) She said she sees pharmacies at the local level as an important place for people to go for information. On April 15, she said, DOH launched a health care provider search Web page. There were more than 28,000 hits in the first 12 hours. Dr. Hayes described her participation in a daylong CDC symposium about genomics information and public health where she had an opportunity to discuss the work of the SBOH Genetics Task Force. All 12 centers at the CDC will be expected to incorporate genomics information into the everyday work of public health.

Board Member Dr. Ed Gray mentioned that 164,000 kids are hurt each year playing high school basketball, which far surpasses WNV morbidity and mortality. He also said the practitioner information system may be misleading. Board Member Dr. Tom Locke said SBOH should pay close attention to SARS. Washington is the gateway to the Pacific Rim and has a large number of cases. SARS could be the first test of the isolation and quarantine system. Chair Lake discussed the difficulties of responding to a tuberculosis outbreak when you cannot get test results in a timely fashion because of competing demands on DOH and CDC labs. Board Member Vickie Ybarra mentioned a meeting with the Kittitas Board of Health in which the major issue was the role of isolation and quarantine.

SBOH ANNOUNCEMENTS

Don Sloma, WSBOH Executive Director, provided an update on Board business. He stated that he spoke at a Northwest regional meeting of groups dedicated to improving end-of-life care sponsored by Washington State Medical Association (WSMA). WSBOH Policy Manager Craig McLaughlin described staff follow-up to Board question about school emergency preparedness (see memo behind Tab 5). Mr. Sloma directed the Board to the letter from Dr. David Dow regarding requiring annual inspection of backflow preventers on irrigation systems and the Board response (included behind Tab 5). Dr. Gray questioned whether we had enough information about the frequency of failures on such systems to justify an annual inspection. Board Member Carl Osaki noted that a

number of different agencies are involved in the administration and enforcement of this rule and said he wanted to speak more with staff before the Board considers further action. Mr. Sloma then reviewed the FYI section of the agenda. He also directed the Board's attention to other materials behind Tab 6 regarding a new task force convened by the Office of the Insurance Commissioner on health insurance, the new section of the Board's Web site about local boards of health, and the Little Hoover Commission report on public health reform in California, which recommends re-establishment of a state board of health in California. WSBOH Policy Analyst Marianne Seifert and Mr. Osaki both mentioned opportunities they have had to discuss the Board's environmental justice work.

INTRODUCTION & COMMENTS BY JEFFREY THOMPSON, M.D., CHIEF MEDICAL OFFICER, DSHS MEDICAL ASSISTANCE ADMINISTRATION

Dr. Thompson was unable to attend.

WELL-CHILD EXAM PILOT PROJECT: PRELIMINARY FINDINGS AND RECOMMENDATIONS

Ms. Ybarra, speaking as chair of the Board's Committee on Children's Health and Well Being and WSBOH Senior Policy Analyst Doreen Garcia discussed the status of an interagency pilot project to explore requiring well-child exams for children entering kindergarten (see memo behind Tab 6). Dr. Gray said his community has offered well-child exams for many years and gets 90 percent of the kids. Dr. Hayes said that the Bellevue School District is one of four or five where the school district notifies parents that they expect children to have their exams by school entry. Dr. Hayes also mentioned a presentation she had seen recently that questioned the scientific basis for the content of some elements of well-child exams. Mr. Sloma asked if the study addressed the U.S. Clinical Preventive Services Task Force Report. Dr. Hayes said she will get the Board more information about that presentation.

BREAK

ONSITE WASTEWATER TREATMENT SYSTEMS OVERVIEW AND RULE DEVELOPMENT COMMITTEE UPDATE

Mr. Osaki directed Board members to the materials behind Tab 7. He said he wanted to assure that the Board is aware of the context of onsite sewage rule making, and to make it aware of some of the policy issues. Ms. Seifert discussed the memo and reviewed other information behind Tab 7. She then discussed the purpose of the panel and introduced the panelists.

Debbie Riley, Mason County Department of Health Services Environmental Health Manager, stated that her presentation would focus on onsite septic overall and water systems issues in a small county in Eastern Washington and a small county in Western Washington. Ms. Riley provided a detailed explanation of the septic systems in Walla Walla and in Mason County. She described specific efforts underway at the Mason County Health Department, including a grant and pilot project. (See her written testimony.)

Art Starry, Thurston County Public Health and Social Services Department Environmental Health Director, discussed water supply and onsite systems in Thurston County and the role the Thurston County Health Department plays in onsite system development, regulation, and information and education. He provided examples of the department's work, such as property development and a loan program to help correct onsite system failures. Mr. Starry also talked about the public health impact of onsite system failures. He stated that the health department depends on information and assistance from the state. Board member Dave Crump asked if onsite system failure is a recent phenomenon. Dr. Hayes asked what relationships health departments have with builders.

Reed Tacia, owner of Reeds Construction in Oak Harbor, explained the importance and complexity of operation, monitoring and maintenance (OM&M). He is concerned that there is not mandatory monitoring and maintenance. When he finds system problems through inspection he is blamed. Currently there are not standards for system inspection, so big differences exist in verifying the adequacy of them. Mr. Tacia stated people need to be trained to perform inspections and he has formed an association to work on training for inspection (see photos and handout).

Bill Dewey, Public Relations Project Manager for Taylor Shellfish Farms, provided a presentation about the Mason County Shellfish Industry and challenges facing the industry (see presentation). He stated that he believes

programs and dedicated funding are needed because of the direct human impact of shellfish problems. Mr. Dewey discussed the importance of OM&M, but stated concerns that OM&M not become an unfunded mandate.

Maryanne Guichard, DOH, Environmental Health & Safety Program Manager, provided an update on the Onsite Sewage Rule Development process (see Power Point Presentation behind Tab 7). Dr. Locke stated that the onsite sewage issue is the heart of how public health works and can be credited for most of the major gains in life expectancy.

Meeting adjourned for lunch at 12:40 p.m. and resumed at 2:00 p.m.

URGENCY TO PREVENT & REDUCE OVERWEIGHT & OBESITY IN CHILDREN

Ms. Ybarra, introduced the agenda item and the panelists.

Donna Johnson, PhD, Associate Director, Center for Public Health Nutrition, University of Washington School of Public Health and Community Medicine, presented data on obesity and overweight in the U.S. and the emergence of an “obesogenic” environment (see presentation behind Tab 8). She invited direction from SBOH in changing current obesity prevention policies, and in improving existing public health partnerships. Dr. Hayes asked how the Center for Public and Nutrition plans to relate to the federal Department of Health and Human Services (DHHS) Secretary’s initiative to build community capacity to improve nutrition and physical activity. Dr. Johnson replied that the funds have been leveraged to build programs. Mr. Osaki asked about the CDC VERB program.

Kyle Unland, Lead Supervisor, Diabetes, Nutrition & Physical Activity, DOH reviewed obesity prevention efforts in Washington and presented an overview of the *Washington Nutrition and Physical Activity Plan* (see executive summary and presentation behind Tab 8). He explained that the CDC VERB campaign is targeted at communities, not states. He mentioned that Washington is consistently ranked in the top 10 for hunger and food insecurity and that decreasing food insecurity is one of the plan’s goals. Dr. Hayes mentioned the bill to create breast-feeding friendly workplaces. Ms. Ybarra asked Mr. Unland how the Board could contribute to the policy work. Mr. Unland replied that SBOH could help school districts provide better nutritional choices, and pave the way for interagency collaboration.

Amy Belko, MD, President and Board Member, Thurston Mason Medical Society, Washington Chapter of American Academy of Pediatrics, speaking as an individual recommended that the Board help get soda out of schools. She recommended Board members read *Fat Land*, a book about the role of fast food in increasing obesity. Dr. Belko also recommended societal solutions to obesity, rather than attributing it to the individual. She said some pediatricians have difficulty communicating about obesity with overweight children out of fear of causing anorexia, but anorexia is not prevalent among overweight poor children, but among young, more affluent, white women who are not overweight. She recommended supporting the DOH plan, healthier school food choices, and described a parallel between tobacco industry and the fast food and soda industry. Mr. Osaki asked how well medical schools are teaching about nutrition. She replied it is not where it should be. Dr. Hayes mentioned that the American Academy of Pediatrics has chosen this as a priority. She also mentioned that individual school districts determine school nutrition options. Dr. Charles Chu, Board Member, also recommended that a collaborative effort with the school districts, DOH, and SBOH is needed to address this huge and alarming problem. Dr. Belko mentioned the need for visual examples that help decision-making. Mr. Osaki asked about the different programs, and how to coordinate policies, programs, and grant applications. He also asked if a nexus is needed along with consistent messages. Ms. Ybarra replied that one of the DOH plan’s roles is to provide an umbrella for all activities and programs.

Paul Flock, Child Nutrition Supervisor, Olympia School District, presented information about the Olympia School District’s effort to address childhood obesity, and referred to their advisory committee’s report recommendations (see report behind Tab 8). John Keeffe, Olympia Board of Education member, reviewed the Olympia School Board efforts to also promote physical activity. Dr. Hayes asked about secondary schools’ policy to allow students to go off campus. Mr. Keeffe replied that Olympia has two high schools, and one has an open campus and one has a

closed campus. Parents at an open high school are talking about closing the campus after a remodel and expansion is complete.

LEGISLATIVE UPDATE

Mr. McLaughlin summarized the 2003 Legislature's regular and special sessions, and directed the Board to materials behind Tab 9. Dr. Locke asked about a bill that would give local health jurisdictions authority to increase funding. Dr. Gray asked about "backfill" for counties. Mr. McLaughlin said he would get back to them with that information.

ANALYSIS OF AUTHORITY TO ENTER PRIVATE PROPERTY

Mr. McLaughlin reviewed his analysis of authority to enter private property and reasons for this agenda item, with the caution that he is not an attorney (see memo behind Tab 10). Chair Lake asked the Board members if they had enough information to decide whether or not to address this issue in July, and to get in touch with staff quickly regarding information needed. Mr. Osaki said he did not think the Board should address the complicated and longstanding issue, and that if Board pursues this it would need to be very strategic, and would need help from its legal counsel. Dr. Locke proposed as a next step to focus on specific implications for current SBOH rules. Dr. Hayes suggested thinking broadly, not just in the context of WNV, and to gather information from other states' experiences.

COMMUNITY FORUMS & CRITICAL HEALTH SERVICES: HUMANLINKS, WASHINGTON HEALTH FOUNDATION, COMMUNITY ROUNDTABLES

Mr. Sloma introduced the agenda item. Julie Davidson, Director of Health Care Initiatives for the HumanLinks Foundation, joined by Debby Peterman, a HumanLinks consultant, provided information about the foundation and its health care initiatives (see presentation behind Tab 11 and the video *Taking the Pulse of the Community*).

James Whitfield, Director, Transforming Health Care, Washington Health Foundation, discussed the Community Roundtable project (see distributed materials and the interim report behind Tab 12).

Mr. Osaki asked about plans to include groups not represented at the meetings. Mr. Sloma suggested that the Board might use this material in the *State Health Report* as well as other publications as appropriate. Dr. Hayes spoke to the value of and need for public engagement. Dr. Locke spoke about the connections between these projects and the PHIP work on critical health services. The Board provided a general direction to staff to consider using the findings from these activities, where appropriate, in projects such as the *State Health Report*.

POSSIBLE BOARD 2003-05 PRIORITIES

Mr. Sloma reviewed the memo about Board priorities (see memo behind Tab 13) and encouraged the Board to think about possible priority projects in advance of the July meeting.

PUBLIC TESTIMONY

Drew Noble, a member of the Water Supply Advisory Committee spoke as an individual, and a manager and operator of small systems. He prefaced his comments by saying he has no criticisms of the DOH Division of Drinking Water. He raised concerns about Department of Labor and Industries requirements that electricians change pressure switches and efforts by counties to eliminate satellite water systems (SMAs).

ADJOURNMENT

Chair Lake adjourned the meeting at 4:38 p.m.

WASHINGTON STATE BOARD OF HEALTH

Linda Lake, Chair